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ABSTRACT

On the whole, professionals agree that there is an advantage in both parents having access to the child or children after separation. This paper provides (1) an overview of the controversy over the value of such access; (2) a description of various contexts of access disputes and perspectives involved in the assessment of access situations; (3) a literature review on the relationship between marital turmoil and children's problems; (4) a discussion emphasizing the importance of the child's perspective on access problems; and (5) a report of a study of 25 cases of children during late latency and early adolescence who refused to go on access visits. The study was made with a view toward identifying demogaphic and contextual correlates of such refusals in order to improve counseling assessment and intervention. (RH)

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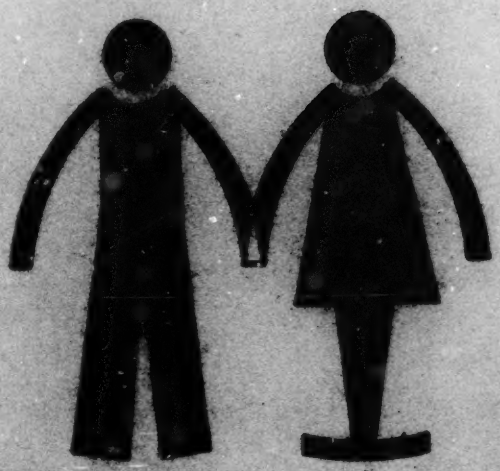

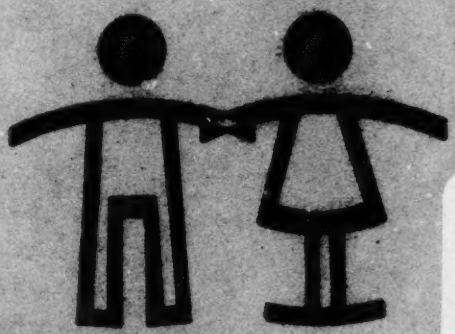

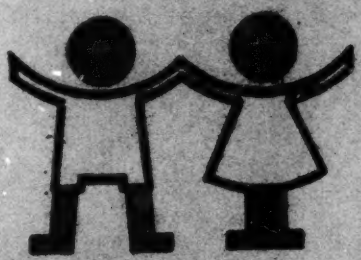

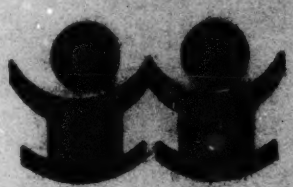

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SEPARATED FAMILIES AND CHILDREN WHO REFUSE ACCESS TO A PARENT

by Emilia Renouf

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SEPARATED FAMILIES

AND

CHILDREN WHO REFUSE ACCESS TO A PARENT

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INTRODUCTION

This paper is largely addressed to professionals, but should also be of interest to parents. Access, as an issue arising out of marital break-down, occupies as important a place in the minds and in the working schedules of judges, lawyers and counsellors, dealing with these matters in the Family Courts, as does the issue of guardianship and care and custody of children.

Although guardianship applications exceed access applications in the Family Court Registries, the Counselling Services devote the larger portion of their face-to-face working time to the latter. This is done through voluntarily requested counselling by one or both parents, by court-ordered conciliation counselling arising from newly submitted applications, and interviews held in the course of preparing a psychosocial study of the family (otherwise known as a Family Report) when the case is to be fully defended. The latter covers about a quarter of access disputes.

Access, as a post-separation issue, has stimulated a large number of papers or studies by the Court Counselling body (Nasser, 1978; Grant & Nasser, 1979; Smiley, 1978; Smiley & Hirst, 1980; Madison & Preston, 1982; Marshall, Maloney & Waters, 1982; Weir, Silvesto & Bennington, 1983). Access has also been the subject of many counsellor training and development programmes given by child psychiatrists. There have been seminars for judges and counsellors (Baker, 1982), as well as groups for parents, regularly run by the counselling Service in Sydney, and occasionally in the Parramatta Registry.

The granting or denial of access to parents by the Family Courts also occupies an important place in the minds and working hours of psychiatrists, whether as consultants to the Family or the Conciliation Courts (Chase, 1983), or when working in mental health services (Banning, 1982; Futterman, 1980) or in private practice (Donsworth, 1978). It is equally the concern of welfare officers in child and family services (Connor, 1982).

This paper *(a)* presents an overview of research findings and attitudes to access by court-connected services and mental health professionals, while looking at the advantages of including children in counselling sessions concerning decisions over access arrangements, and *(b)* reviews perspectives on assessment of access situations and proposes, without minimizing the importance of the family procedures and the family circumstances of the child, that more importance be given to the child's perspective at different developmental ages and according to the conceptual, motivational and personality development of the child. It also proposes that the child's influence and effect in conflicts over access be considered in their assessment. Finally, *(c)* it presents a study of a small sample of children in the court counselling situation who themselves refused to visit the absent parent and tries to identify demographic and contextual correlates of such refusals with a view to better counselling assessment and intervention.

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THE CONTROVERSY OVER THE VALUE OF ACCESS

On the whole, professionals agree that there is an advantage in both parents having access to the child after separation. The reason given is that the continued relationship between the child and both parents contributes to the child's unimpaired development and self-esteem. There is, however, controversy as to the disadvantages if there is continued interparental hostility, and if this results in loss of self-esteem for the child. The question is which is worse for the child? Is it the loss of one parental relationship or is it the possible maladjustment in behaviour and development which may flow from living with continued parental discord (Rutter, 1971; Banning, 1982)?

The Family Court Research and View of Access

Weir, Silvesto and Bennington (1983), in their study of a sample of seventy cases from the Melbourne Registry, attempted to relate access patterns to different degress of post-separation parental conflict. They looked at cases where there was no court order and the parents themselves determined access arrangements. Also included in the study were cases where there was a consent order, i.e., parents had conciliated an agreement and wanted it legalised by the court, and cases where there was need for a judicial decision, i.e. parents could not reach an agreement and wanted the judge to decide what this should be. Assessments at 6 months, 1 year, 2 years and 3 years after separation indicated a fairly positive picture of access. *At six months,* 77% of children had contact fortnightly or more frequently and 15% had no access. *At one year,* 70% of the children maintained frequent contact and 10% had no access. *At two years,* 62% had frequent contact and 7% had no access. *At Three years,* 66% had frequent contact and 10% had no access. Over the whole three years, however, in only one family was there no access since the separation. The amount of access over that time increased in 15% of cases and decreased in 21.4% of the cases.

How Were Access Arrangements made for the Groups Contacting the Family Court?

Eighty percent of parents made their arrangements without consultation with the Court Counselling Service. Twenty percent of the consent order group and all of the judicial group were seen in counselling. Generally, the counselling did not include the children so that no data is available on their perception of access arrangements. Forty-five percent of the consent and judicial groups reported having received counselling from mental health or welfare agency services at some time during the separation. One does not know whether access arrangements were made as trade-offs for maintenance or other gains, whether children were given information, and wehther their reactions to access arrangements were invited.

Only 11% of the children of the seventy couples in the study had refused a parent access to themselves consistently, while 30% had refused it twice, and 59% had never refused it. Ten percent of the parents wanted to see access increased, while twelve percent wanted to see it decreased, and fourteen percent wanted it stopped altogether.

With regard to style of access, the differences between the groups began to emerge with the passage of time and litigation; the consent group had a high proportion of irregular access arrangements, and the judicial group moved towards either a regular flexible or regular rigid style.

The overall view of the Court and its services is that a process of recovery occurs for the parents in relation to the divorce, and that a similar improve-

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ment occurs in terms of the child's well-being. In particular, the court will try to see that access is maintained for at least eighteen months after separation (even if this necessitates a rigid formula) in an effort to give the child the chance to adapt to the new life-style and family households.

The Clinical Workers' Research and View of Access

Kelly (1980), in her chapter "Research Findings and Clinical Implications of Setting-up the Visiting Relationship after Separation", which was based on her experience as co-investigator in the Marin Country (California, USA) Children of Divorce Project, offered an optimistic view of parent/child post-separation relationships in a study of sixty families at eighteen months and five years after separation.

Kelly reported that after *eighteen months* only eight percent of the children did not have contact with the absent parent, sixty percent were seeing the parent at least fortnightly (half visited once weekly or more), and overnight and weekend visits had doubled. The early significant sex-differences whereby boys, especially younger boys below age 9 felt more vulnerable and appeared more troubled in their behaviour at home and school and in the playground, than the girls, had disappeared eighteen months after separation except for boys 8-9 years old who continued to see their fathers more frequently than girls.

After *five years*, 45% of the children maintained at least fortnightly frequency contact and another 20% visited monthly. Contact had decreased for 47% of children, increased for 20% and remained the same for 33% of the children. It must be born in mind that one of the aims of the California Divorce Project was to involve all family members in divorce counselling, not only as soon as contact was made with the Clinic after separation (average was 5 months into separation), but on each of the follow-up periods.

In spite of the early counselling intervention for the families in this project, Kelly voiced her concern over: *(a)* the initial lack of consultation of their children by parents at the time of setting-up arrangements, and *(b)* that forces such as the psychological response of each parent to the divorce, the role of the legal profession, societal traditions and the counter transference of professional workers, shaped the visiting arrangements rather than those that should have shaped them, i.e. the actual needs of the children.

In conclusion, Kelly's view of access was that it is not a parent's right but a parent's responsibility. Above all, the custodial parent should give full recognition and acceptance to the child's need for the relationship with the non-custodial parent and, the non-custodial parent should demonstrate interest and investment in maintaining the relationship.

Dangers in Conciliating Access Arrangements with Children Excluded

While all professionals involved agree that the decision about access arrangements must be made by the separating parents, a number of authors (Futterman, 1980; Derdeyn, 1977) say that there is risk to the child in arrangements that are conciliated for the sake of expediency and keeping the couple out of court. The risk they identify lies in denying the children the opportunity to deal with important issues that affect them. Futterman also cautions against the danger of respectful, indecisive or gamesplaying parents who leave the decision to their children (37% as reported in Weir's study), thus giving them a false sense of omnipotence, which the parents quickly disabuse by making them experience their powerlessness when it comes to trying to get their choice actually implemented.

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This gamesplaying saps the child's self-esteem by precipitating him/her towards failure; the blow to competence can only result in feelings of inefficacy (Harter, 1978).

It is the author's view that the often-quoted welfare reason for not including the children in at least one session, namely that it is better to leave them out of the parental fighting, is spurious, at least in the sense that excluding them from the sessions does not exclude them from involvement in the parental fight elsewhere. Even assuming, in the best of cases, that parents are able to resolve their conflict and reach a conciliated agreement, the children, unless included, will not know the true measure of the absent parent's interest in obtaining contact, or of the reasons for refusal on the part of the custodial parent, etc. In this situation they are likely to conclude that one or both parents do not care.

Quite apart from the danger of misconceiving the parental departure as abandonment, the children need to discuss their own problems, if not with their parents, then with a counselling adult. They need basic supportive information and to clarify their confusion. If an adult is available to help them verbalise feelings, they will find less need to act out their conflict, or to develop symptomatic manifestation, or inferences, that nobody notices their suffering.

In Australia, there are very few private-sector conciliation services for issues ancilliary to divorce, although Unifam has been doing its best with state courts. There are no identifiable Family Growth Centres or Institutes for Families in Transition for those experiencing family or life stage changes, where clinical services are offered on an individual, short-to-medium term and away from a court-connected atmosphere. Organizations set up by single parents for single parents are focused primarily on helping the adult in need. When wishing to set up something for their children, they have to put together *ad hoc* groups, contracting individually with professionals for the duration of the group only to provide help to parents and children where there is most often not a professional or experienced counsellor to help parents and children (Solo Parents & Children's Groups, 1983). It is little wonder that some welfare workers (Connor, 1982) and Familink seminars see children as the innocent victims of their parents' crises, yet denied the help their parents receive.

Both the Toronto Conciliation Courts (Irving, et al, 1981) and the Los Angeles Conciliation Courts (McIsaac, et al, 1982) include children in conciliation counselling in at least one session. These courts have observed that the inclusion of the children leads to increased parental satisfaction with the service, longer lasting arrangements and decreased relitigation.

ACCESS SITUATIONS AND PERSPECTIVES FOR ASSESSMENT

The Interparental Hostility Perspective

Donsworth (1978), a child psychiatrist, categorized access disputes according to *situational context* as follows:

1) No previously existing relationship between the child and the non-custodial parent. Child very young at separation;

2) Child and custodial parent strongly opposed to access. One/both parent/s have personality disorders or are psychiatrically ill;

3) Overt hostility between parents, causes child to be used as informant, middle-man, spy, ally, etc.;

4) Polarised lifestyles make it hard for child to integrate both homes. Child reactions are unfavourable both pre- and post-visit;

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5) Geographical problems make access an unusual occurrence. As a result, the special treat quality makes child ambivalent towards custodial parent.

Donsworth hypothesised that Family Court judges, when faced with difficulties in supervising interpersonal relationships in separated families, compensated by making orders that helped establish them. For example, they may issue orders which protect the absent parent's attempts to develop the relationship. This, she said, was not to her liking, particularly if the situation was one described in Categories 2) and 3). She found herself particularly at odds with the Court decisions in the third category, where parents' attitudes towards each other remained intractably hostile, or where the custodian's opposition arose from exaggerated personality defenses which had taken on a paranoid fear of the supposed harm which would befall if access rights were accorded to the other parent. Donsworth thought, as did Banning (1982), that even if the absent parent was free of disorder and able to make a considerable contribution to the child's life, it was better to deny access and protect the relationship between the child and the custodial parent, thus putting an end to the stress experienced by the child who felt compelled to deny the positive aspects of the relationship with the absent parent so as to please the other parent. This stand has many controversial aspects, and Donsworth did not qualify her view in terms of family composition, of the duration and content of the interparental hostility, nor did she consider all aspects of the child's feelings of rejection and consequent poor self-esteem when denied access to one parent and the support it may give in the child's own difficulties with the disturbed custodial parent.

Marshall (1982), while Director of the Sydney Registry Counselling Service, categorized access disputes according to *family dynamic themes*. When reviewing Suspension of Access Orders reported by Family Court Registries throughout Australia, she noted that of the forty-four orders reviewed, access had been suspended in nineteen (43%) on the grounds of disqualification of the absent parent because of violence, alcoholism, sexual abuse, etc. In the remaining twenty-five (57%) access was suspended on the basis of reported destructive family and interpersonal dynamics. Her categories were not mutually exclusive, arising as they did from the pragmatic classification of each Registry. Ten percent of the cases were classifiable in more than one category, but always containing high levels of interparental hostility, intertwined with overt denigration of custodian by non-custodian. In this situation the child had verbally expressed a wish not to visit the non-custodial parent. Her detailed categories were as follows:

(the number of cases (total 25) assigned to each is indicated in parentheses)

1. Child aligned with custodian (5)

2. Child in loyalty conflict, shifting coalitions (1)

3. Non-custodian undermining authority of custodian (1)

4. High levels of interparental conflict and hostility (8)

5. Need to safeguard newly formed family unit (5)

6. Overt denigration of custodian by non-custodian (2)

7. Little or no new relationship between parent/child after separation (4)

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8. Child states that he/she refuses to visit the non-custodian. Custodian leaves decision to the child (5)

Leaving aside categories 1, 2, 8, in which the child is mentioned as an "actor", the emphasis within the Family Court assessment appears to be placed on the interaction between the parents (categories 3. - 7.) It focuses on interparental turmoil, conflict, and hositility in the access situations.

It is the author's contention that the perspective of interparental hostility is insufficient by itself, and, although both Donsworth and Marshall pay some attention to the ecosystem of the child and family dynamics respectively, two additional perspectives are needed when assessing access situations. However, before making a case for paying more attention to the perspective of the child and the child's cognitive and social development, and the effects the child has in the aggravation of the access situation, it seems helpful to review the relevant literature. I shall review the research on the interaction between marital turmoil and child behaviour, and between children's understanding of family disruption and the development of interpersonal awareness in children.

LITERATURE REVIEW ON RELATIONSHIP BETWEEN MARITAL TURMOIL AND CHILD PROBLEMS

Emery (1982), after reviewing the research literature on the above relationships, found that most studies, in spite of existing methodological flaws (use of different populations, different family structures, etc.), indicated that the relationship was a real and important one. In his own research, Emery defined *marital turmoil* as discord and divorce. *Child problems* were defined as overcontrol (anxiety, withdrawal) and undercontrol (aggression and conduct disorders). He cautioned that data was not yet available to enable prediction of which children, in what circumstances, were at greater risk because of a given type of marital turmoil. Nevertheless, he outlined the following parameters of this relationship as important: type of turmoil, form of child's behavioural response, sex and age of child, a good relationship with one parent and parental psychopathology. He cautioned about the need to devote attention to the timing of changes in parent/parent interactions, the effect of conflict of various types and their length and the child's role in aggravating interparental conflict.

Possible Mechanisms at Work

Block et al (1981) studied the effect of marital turmoil on children aged 7 years in intact and divorced families. He found sex differences, for example, for boys an atmosphere of agreement between parents led to ego control and ego-resilience reflected in resourcefulness, verbal facility, acceptance of responsibility for one's actions and feelings, task orientation and good intellectual functioning, while disagreement led to undercontrolled behaviour as defined above. In the case of girls, parental disagreement was inversely related to degree of ego control, i.e., the more discord there was in the marital pair, the more the girls were over-controlled in their behaviour and responded by being anxious, withdrawn and very well behaved. This ego resilience was independent from degree of discord and led Block to suggest that the development of ego-structure in girls is less dependent on family environment and characteristics than it is in boys. Girls are more easily socialised than boys and more tuned into a wider range of interpersonal relationships.

Of all the possible mechanisms transmitting the effects of parent turmoil, Block considered *modelling* and the *stress hypothesis* as the most important. With regard to modelling, Block refers to Bandura (1973), who has reported that parental salience is not the same for boys and girls; mothers have more salience for daughters, particularly during the early childhood years, while both

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parents are equally salient for boys. Block maintains that, given the equal salience of both parents, boys may be buffeted more often by conflicting loyalties than girls, feeling it necessary to align alternatively with one parent or the other; parental disagreement would thus create more anxiety and psychological dysfunction in boys.

With regard to the stress hypothesis, Block refers to Gunnar-Grechten (1976) who stated that young boys were more stressed by their inability to control aversive stimuli than girls, and concludes that turmoil is experienced by them as more disturbing and anxiety arousing. It is in this greater need of boys to control external events that Block finds a further explanation for gender-related differences to response to marital conflict. He later replicated his study with high school students and found the same differences.

Relationship Between Family Conflict and Child Competence

Ochiltree (1983), of the Australian Institute of Family Studies, researched the relationship in three types of family structures (intact, one-parent, and step-parent families) for primary and secondary school children, and in three types of situations (absence of conflict, presence of tension, and presence of overt conflict). She looked at competence in reading, self-esteem, and knowledge of certain skills.

Her findings indicated that the presence of family conflict resulted in lower self-esteem in both the 8-9 and the 15-16 years old. An examination indicated few differences between the older group in each of the three family structures. The more noticeable effect of family conflict was among younger children in one-parent and step-parent families. The step-parent group scored lowest in all three competencies, reading, self-esteem and skills. This may be due to the lesser chance of positive involvement between these children and both parents and thus, the greater probability of anxiety and worry in such children.

The presence of conflict and/or tension had a negative effect on the reading ability of children of both age groups; the greatest negative effect was in the one-parent families of primary school children, possibly because only one adult relationship is available to the children and the adult may be underfunctioning as a parent because of role overload and personal problems. It was only with regard to skill knowledge that the presence of overt conflict was found to have a positive effect in the differently structured families. The skills scores of children in intact families were increased as a result of conflict, while scores of children in divided or step-families who already had a high average were maintained. This may be due to less parental overprotection and indulgence.

Importance of Family Dynamics and Processes

While authors like Donsworth (1978) and Marshall (1982) have emphasized the importance of situational context and family dynamics in assessing access situations, Madison and Preston (1982), both Family Court Counsellors, argue that access problems should be analysed both in the context of family dynamics and the processes the family undergo during separation. They feel it is essential to ascertain the position of each member of the family in respect of access, their view of the causes of any problems, of what should be done, of who will take responsibility for doing it, and of what stands in the way of change.

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THE IMPORTANCE OF THE CHILD'S PERSPECTIVE

While agreeing that access problems are family problems, i.e. problems of family dysfunction, and that both dynamics and process as well as the wider ecological context, must be considered in their conceptualisation and intervention, the author thinks that those involved in helping people with access problems do not pay enough attention to the child's response to the separation/divorce and the child's actions. They equally underplay the importance of the effect of sex and age and the existence of other meaningful relationships with other adults who may act as surrogate parents in the child's life. The child is an actor as well as a reactor to any family situation and children "cue off" their parents' behaviour and "mirror" the parental personality characteristics and polarised attitudes. Moreover, each child is a biologically unique individual existing within the confines of his/her conceptual, motivational and personality development.

How Are Children Affected by the Separation?

Children in middle childhood experience a sense of being rejected, of being replaced during and after separation. They also experience a loyalty conflict because of their own concern with the issue of "which side am I on?" and with the view of divorce as a fight between two teams, the good and the bad parent, the angel and the devil. Often, for the 9-12 year olds, the devil is the one who left home and sought the separation. They are for the marriage and against the divorce; their central emotional response is anger. The anger is intense, partly because it is sometimes allied with guilt and hostility toward the parent they oppose. The person they turn against at this time may be the person with whom they had the most loving relationship and their anger is not a reliable indicator of the ongoing prior relationship or that the other parent may be programming the child to behave thus. According to Wallerstein (1982), this anger does not go away unless it is worked through.

How Are Children Affected by Access?

Chase (1983), consultant psychiatrist to the Los Angeles Conciliation Courts, considers that each access visit brings with it pre-visitation anxiety and post-visitation depression in the child. He defines pre-visitation anxiety as a continuum of intensity, with excitement and mild anxiety/pleasure at one extreme and frank phobia at the other, while the extremes of post-visitation depression can be either a mild dysphoria arising out of the experience of grief or mourning for the lost family. Chase speaks of an internal "tearing up" because of the illusion of symbiosis or fusion with the parent.

Chase believes that phobic responses over access are seen in every phase of development but are most common in pre-adolescence when the "regressive pull" towards the primary parent of early childhood is reawakened (Blos, 1962). Weir (1983) mentioned that 29% of the Family Court children in access situations were often disturbed or upset after access, but he did not look at age effects. Chase draws a parallel between a phobic access response in the child and Bowlby's model for school phobia in which the following concepts are relevant to both situations: a mother, afraid of being alone, keeping the child at home for company; a child fearful that something dreadful will happen to mother while away (child may have witnessed violence between the parents during the break-up phase); mother fearful that something dreadful will happen to child while away; child fearful that something dreadful might happen to him/her (violence may have occurred on previous access situation, i.e., forced into a car). According to Chase, all these fears need to be addressed away from the legal area. His treatment is in the form of parent/child, individual and family interviews of brief duration focused on the psychodynamics in the family. He agrees with Gardner

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(1976), however, that not all access situations are amenable to brief therapy.

The Age Effects Perspective:
Cognitive and social development

Kaplan (1980), in writing about children's understanding of family disruption, states that egocentrism still operates in middle childhood as shown by children's failure to differentiate between fact and inference and inconsistent/idiosyncratic distortions in their thinking. She echoes Piaget in concluding it is only at the age of 12 (when children have reached the stage of formal concrete operations) that they are able, in a situation of family disruption, to see a range of probabilities as to what is more likely to happen on the basis of taking all the intervening factors into account.

Weis (1974) studied the development of situational thought or ability to assess situations in children 7, 10, and 12 years of age, by presenting them with a story questionnaire of common marital conflict themes of different levels of complexity, and asking them to describe each situation from the point of view of each party, solve their problem and explain their solution. Weis found that any important factor influencing children's judgement related to their developmental level of thinking and whether they could think abstractly; in younger children the lack of understanding of probability and chance makes their thinking more absolute and immediate. Weis concluded that younger children know that something is wrong, but, unless they are helped to label and differentiate events and are exposed to a variety of outcomes and modelling, they may be unable to explain precisely what is wrong.

Kagan (1961), in the context of the research into personality development, believes that children's identification is determined by their perception of parental differences in power, competence, nurturance and punitiveness. He believes girls have an anxiety arousing identification when their model (mother) is perceived as the least competent of the two parents.

Selman (1977) has worked out a model of development of interpersonal awareness in children in terms of role-taking and social perspective. When comparing impersonal (logical) with interpersonal (social situations) awareness, she feels that although the two levels of development run parallel in the child, they do not necessarily correlate. The child's level of social functioning is partly determined by the emotionality accompanying the situation, i.e., family break-up, peer pressure, or social embarrassment, and can cause the child to revert to a lower level of cognitive functioning.

Longfellow (1979) used Selman's model to characterise children's reactions to divorce according to age and stage of cognitive development. In this model, *early latency* children (7-8 years old) find themselves in *Stage I* and are only capable of *subjective reasoning*, i.e., they cannot understand how it is possible to love/hate the same person, to be dissatisfied with a relationship and still want it, to stop loving as a spouse and continue loving as a parent. They can only handle one point of view at a time and sequentially.

Late latency children (9-10 years) find themselves in *Stage II* and are capable of *self-reflection and of role taking*, i.e. they can judge their actions from another's point of view but have trouble co-ordinating three points of view; they are sensitive to subjective feelings on the part of others and tune their reactions in a close correspondence with particular emotional states of parents; they want to be fair to both and experience divided loyalty.

The *pre-adolescent children* (11-12 years) are in *Stage III*. As such, they are capable of *third-person reasoning*, or seeing another's point of view, and can conceptualise interpersonal relationships in terms of mutuality.

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In conclusion, from the above quoted research, it seems essential that assessment/intervention where children have refused access to a parent should be studied within the context of all the perspectives, i.e. type and length of marital conflict (turmoil, hostility, etc.), child behaviour, sex and age, existence of one or more good adult relationships, and changes in parent/parent, parent/child interactions.

THE CHILD REFUSAL OF ACCESS STUDY

The Study

The study is one of a small sample of 25 cases of late latency and early adolescent children refusing to go on access visits. It represents all the refusal cases of children aged 8-12 years seen over a two-year period while the author was working in the Counselling Service of a particular Registry of the Family Court. The children were seen within eighteen to thirty months of their parents' separation. Coincidentally, the sample was made up of almost equal numbers within two types of interventions: confidential conciliation conferences, and reportable sessions leading to the preparation of a psychosocial report for fully contested disputes (judicial cases). Within the judicial category, 50% of cases were custody/access disputes and 50% were straight access disputes. A quarter of the total sample was of non-Anglophile origin; these families were all in the judicial group, i.e., sought a court decision to their dispute.

Data Collection Proceudre

Information for this study was obtained from secondary sources which consisted of the client's information card, supplemented by clinical notes of the researcher. Children were seen on average for two to three sessions for both types of intervention.

Data Treatment

Data will be presented in discrete series such as:

Demographic Profile - mean age of boys and girls, age and sex distribution of children refusing access, number of children in family, sibling position of refusing child, sex of custodial parent;

Contextual Variables - gender relationship between refusor and leaver, recoupling of spouses, involved presence of grandparents, child's school adjustment;

Counselling Outcome - self-determined or court-ordered arrangements.

Assumptions Arising from Literature and Clinical Practice

1. Children were not consulted with regard to arrangements at the time of separation;

2. Given the fact that most custodial parents are women and most access parents are men, and that girls identify with mother in most cases, it was expected that girls who refuse access would outnumber boys in the sample;

3. In the light of sex-differentiated correlates of the relationship between marital turmoil and disturbed child behaviour, it was anticipated that within the age group studied, boys would be referred at a younger age than girls (because of their greater anxiety at being unable to predict and control family developments and their tendency to undercontrolled behaviour, i.e. aggression and conduct disorders);

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4. In the light of the children's perception of parental departure as abandonment and rejection, it was expected that it would be the "leaver" and the "left" roles of the parents rather than their sex that would determine the child's post-separation allegiance:

5. Family size was expected to be within average for general divorcing populations (2 children - Australian Bureau of Statistics Divorce Statistics, 1982) as was the ratio of women to men leavers (2-1) (Bordow, 1983);

6. It was anticipated that fathers would be over-represented in the judicial group seeking orders guaranteeing or instituting access, while conciliation conferences would have a higher proportion of mothers seeking suspension of access (at least to the particular child), if not denial of access to all children:

7. It was anticipated that access arrangements on contact with the Counselling Service would be uniform for all children in the family.

RESULTS

Table 1: Age of Child and Sex of Custodian (N = 25)

Type of Intervention	*Number of boys ($\bar{X}$ age 9 yrs 7 mths)*	*Number of girls ($\bar{X}$ age 10 yrs 10 mths)*	*Custodian*		*Total No. of Children*
			Moth	*Fath*	
Fully contested reportable cases	6	7	9	4	13
Confidential conciliation conference	4	8	8	4	12
TOTAL	10	15	17	8	25

Table 2: Age and Sex Distribution of Refusals

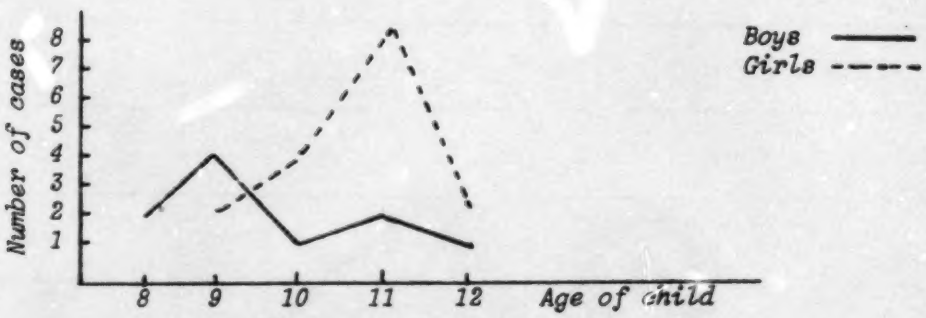

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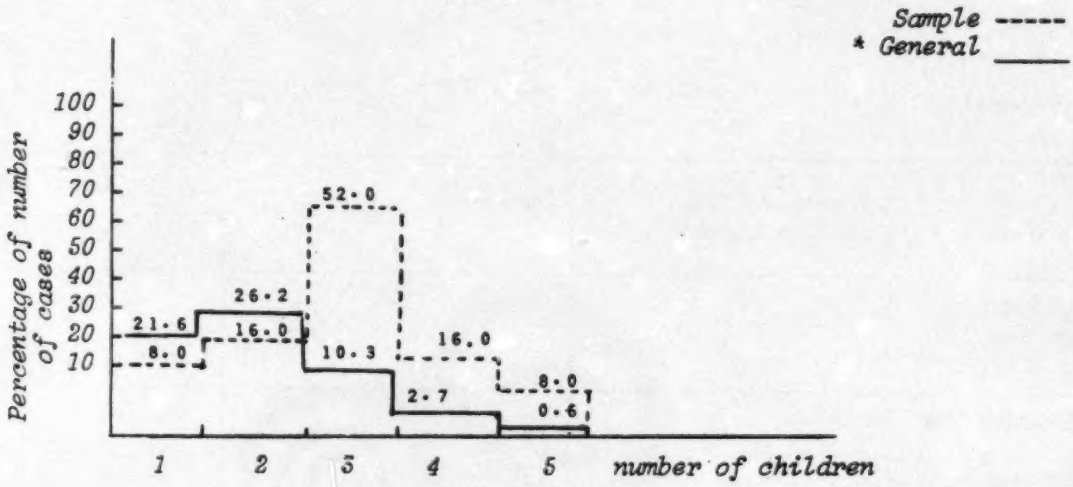
Table 3: Sibling Position of Child Refuser

Rank	Eldest	Youngest	Only Child	Middle Child	Total number of children
No. of cases	10	5	3	7	25
Percentage	40%	20%	12%	28%	100%

Table 4: Number of Children per Family in Sample and in General Divorce Population



* Annual Report of Insitute of Family Studies 1982-83, p. 29

Table 5: Gender Relationship Between Refusor and Leaver

Category of leaver in 22 families	%	Child Refusing		Total number of child refusals
		Boys	Girls	
Mother leaver alone	47%	4	4	8
Father leaver alone	40%	6	7	13
Mother leaver with children	13%	0	4	4
TOTAL	100%	10	15	25

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Table 6: *School Adjustment of Refusing Child*

Adjustment	Sex of Child		Total number	Total %
	Boys	Girls		
Average or better	1	8	9	36%
Below average	5	1	6	24%
Lower side of average	4	6	10	40%
TOTAL	10	15	25	100%

Table 7: *Family Restructuring of Spouses (N = 44)*

Family Structure	Sex		Total Number	Total &
	Males	Females		
One spouse remarried or in de facto relationship	11	10	21	47%
Both spouses remained unmarried	11	12	23	53%
TOTAL	22	22	44	100%

Table 8: *Number of Children from New Relationship*

Child's Origin	Sex		Total Number
	Males	Females	
New child of relationship	1	2	3
De facto's children	3	0	3
Total new siblings	4	2	6

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ANALYSIS AND DISCUSSION OF RESULTS

Given the small size of the sample of late latency-early adolescence children (N = 25), results must be seen as suggestive of trends rather than as validation of facts.

1. At the time of making arrangements on separation children had not been consulted in 75% of families.

2. Girls do appear to present in larger numbers than boys among access refusals (60% as opposed to boys 40%). Mothers were custodians in 68% of families, fathers in 22% (this includes three cases of split custody and guardianship). These proportions differ from those of Family Court conciliation clients in general: mother 7.14%, father 18.6%, and split 10% (Horwill & Bordow, 1983). Sexes were equally represented in judicial cases, but girls predominated in conciliation conferences.

3. Mean age on contacting the service for boys was 9 years 7 months, while for girls 10 years 10 months was the mean. Moreover, mean age for both sexes in judicial cases was somewhat lower (9 years 4 months) than in conference cases (10 years 8 months).

4. Girls were refusing access to father in 73% of cases in spite of the fact that women were "leavers" in 60% of cases; however, in 23% of these cases, although mother was the leaver, she left taking all children with her. These results appear to confirm mother's greater salience for children of both sexes at ages 8 - 12 years.

5. Family size was above that of general divorcing population. Average number of children per family in sample was 3, and 52% of the sample had that number of children, 16% had 2, and 16% had 4 children, and 8% had one and five children respectively.

6. Sixty four percent of applicants in judicial cases were fathers and 36% were mothers seeking the right to institute or maintain access while gender proportions were reversed among applicants for conciliation conferences seeking suspension or change in the nature or style of access on the grounds of child refusal.

7. Proportion of uniform access arrangements for all children was greater than that found by Weir (1983), namely 81% as opposed to 63% in her access sample.

Specificity of Refusal by One Child in Family

Children refusing access represented 43% of the total number of children involved in the sample families. In two-thirds of the families containing a refuser, access was continuing for the other children - usually the younger - on a fortnightly weekend, or a one day a week, basis. Possible interpretations could be *(a)* although interparental hostility existed in these families it was of a form or duration that did not affect the younger siblings or pose a problem for them, and that what they got out of access (treats, spoiling with attention, etc.) outweighed their sense of anxiety, and *(b)* that what caused the refusor child to give up the right to a relationship with the absent parent was either something in the personal relationship of the particular child with that parent (anger, sense of betrayal, etc.), or with the custodial parent (symbiosis, compassion, etc.), or within the sibling system (rivalry between siblings, etc.), or *(c)* an additional interpretation is that the refusing child counted on the support of another adult besides the custodial parent (grandparent, uncle, etc.) who acted

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as a surrogate parent and who discouraged continued involvement with the departed parent. Alternatively, that the child was engaged in consolidating his/her own position of power within the single-parent household.

Relationship Between Sibling Position and Access Refusal

Forty percent of refusers were eldest children, 20% were youngest, 12% were single, 28% were middle children. The "middle" children were so in terms of birth order but were, in fact, the eldest of that sex. In the case of refusers (40%) who were eldest, the birth of the second sibling (36% of cases) followed within eighteen months of the first, which suggests that one cannot completely ascribe the basis of the refusal to the stage of cognitive and social development in the refusing child. Most likely, a number of the refusers had become parentified children and their structural boundaries overlapped between the parental and sibling system.

Contextual Variables

Presence of grandparents

The involved presence of grandparents was very noticeable in access refusing children, particularly the presence of the maternal grandparent as a meaningful caregiver. Among the families in the sample, the single parent household shared parenting with at least one grandparent in 45% of cases. Paternal grandmothers were only involved in 29% of cases and these were father-guardianship cases.

In half of the families in which at least one grandparent was involved, the grandmother had participated considerably in the rearing of the access refusing child since birth, either because the mother was working or because the mother needed physical help as a result of the closeness of births, or because father had become peripheral (either by choice or as the result of the extended family intrusion) in the immediate family.

Presence of new partners

Forty-seven percent of the parents in the sample had restructured their emotional lives with a new partner. The number of men and women was almost equal. Recoupling with a partner with children from a previous relationship (blending) occurred seldom (6%) as did the birth of children from new relationships (6%). Most of the former involved men and the latter involved women. The restructuring of the family unit by former spouses did not appear to play a negative role in the child refusals. In fact, it was in families where neither ex-spouse had restructured that the most violent reaction (almost of phobic proportions) was registered by the child. One inferred that in such cases the ex-spouses were locked in negative intimacy which was projected onto the children. On the whole, children objected strongly if one parent left the existing family unit to go and live with somebody but not to the family restructuring over time (40% and 7% respectively).

Presence of financial dispute

Financial matters, whether property settlement, support or occupancy of the matrimonial home, were an issue in 40% of families in this study, while Weir's study (1983) reported financial issues in only 27% in her access court sample. Occupancy of the matrimonial home was an issue in five of the judicial cases. In three of these, the woman had left home with the children and the husband was holding on to the house. In all these families, as well as in the eleven cases of maintenance disputes, the children (certainly the eldest) were well-

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informed as to content of dispute and were being shown affidavits by both parents.

Presence of violence

Presence of violence was only mentioned in 15% of conciliation conference cases (usually in the form of the child being physically coerced to join other children for access), while it was mentioned as a presenting problem in 60% of judicial cases. Wallerstein (1982) mentioned the presence of violence among separating partners to be of the order of 57%, usually at the time of break-up. The highest violence in this study sample was in families where no restructuring had taken place (pouring of boiling water, destruction of property, marring of cars, etc.) and in some instances, violence was continuing in some form long after separation.

Quality of communication

In 40% of this sample, couples would not attend sessions together, or if they did, it was for a short duration and they refused to look at each other or to sit in proximity. Forty percent preferred communication by letter or by solicitor. Twenty percent managed to talk things over, but found face-to-face contact very stressful.

School adjustment

Twenty-four percent of the children who were refusing access to one parent were reported by the school to be achieving below average; 40% were on the low side of average, and 36% were average or better. Only 1 boy figured among those achieving better than average, while 8 girls did so and only 1 girl was reported as below average. The poorer school adjustment of the boys may be a compounding effect of the boys' greater need to be in control and of the way in which their anxiety and discontent showed through undercontrolled behaviour as defined previously, and the school's reaction to this. The girls' performance, on the other hand, may be the result of their desire to please and their tendency to express distress in withdrawal behaviour. Schools which tend to prefer such behaviour and not understand its problematic features, may mistakenly see such behaviour as well-adjusted and thus reward it which then acts as a reinforcement for achievement.

Outcome of Counselling/Judicial Decisions

With regard to outcome, it must be borne in mind that although these children were compelled by the court to attend assessment interviews, singly, with siblings, and with/without parents, a treatment programme as such was not instituted either by the Counselling Service itself or in the form of a referral to outside professionals.

Parents conciliated arrangements in 28% of cases and orders were made in 62% of cases; the orders resulted in *exemption of access* for a particular child in 29% of these cases. Of the mothers who left their marriage without taking their children and who were seeking access/custody, two obtained a reversal of custody of the youngest child(ren) and the refuser child has since visited monthly, one had a reversal of custody by default, two had to accept indirect contact only, and another is still fighting to reverse custody as is one of the fathers. Among the conciliation cases fathers accepted withdrawal in 11% of cases, one quarter of the fathers who were seeking family counselling had to accept temporary withdrawal because the custodial would not agree to make children available for counselling other than if mandated by the Court.

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It is the author's view that the only cases that would not have responded to a medium-term intervention programme were those in which the child and custodian were engaged in a symbiotic attachment owing to a personality disorder in the parent and/or rigidity and maladjustment of long-standing in the child (Donsworth's Category II). These represented one-third of the sample.

In at least one-quarter of the cases in the sample, a functional assessment could have identified where the problem was in the context of the existing access situation, and a well thought out intervention programme or strategy following from observation of the family process would have brought about change. This would have resulted in safeguarding the child's relationship with the absent parent and in not dividing the siblings.

CONCLUSION

One cannot, across the board, list the advantages over the disadvantages of a continued relationship with both parents after separation. Although the exact form, duration and process of the interactions between interparental hostility, and the limitations in cognitive and social development on the one hand, and the child's emotional investment and response to the separation on the other, still remain unknown, all of these should be taken into account when considering the parameters of success.

The child's ability to cope with interparent hostility and changes is mediated by a multitude of factors. It appears crucial that workers in parent/child interactions which are concomitant with the processes involved in the assessment/treatment of a child's refusal of access to a parent, should be given enough time on initial contact and empowered to see enough members of the two-family household over a long enough period in order to permit the follow-through and the follow-up of the initial assessment. This will avoid decisions which rest on factors that may be of a transient nature and enable implementation of suitable interventions.

Girls appear to present in larger number and later than boys, while boys appear to present earlier, as refusers of access. Child access refusals in middle childhood years appear to occur largely in families of three or more children and in single families. As already expressed by Wallerstein (1982), a child's sex and order of birth in the family can affect the intensity of his/her early response to divorce, particularly since children experience pressure from their parents to provide support or enter into an emotional alliance. The only child, in particular, feels considerably more threatened than the child who shares the impact of divorce with other children. Children who are members of ethnically mixed families may also experience greater strain at the time of their parents' separation. This is intensified if extended families in the situation exert additional emotional pressure that exacerbates the child's conflicts of loyalty.

With regard to judicial cases, it appears advisable that when access orders are made, their transitory nature be emphasized and greater variation of formulas by judges be found that permit a better match between the child's age and needs, and the needs of the total sibling system and the parents. Supervision of access orders appears to be one solution, provided that some degree of coercion as to continued counselling can be implemented so that children can acquire new learning as well as being given the opportunity to work through some of their intense feelings and to develop coping skills. All aspects of a child's ecosystem should be included.

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